

CHRISTIANSEN LAW OFFICES
810 S. Casino Center Blvd. Suite 104
Las Vegas, Nevada 89101
702-240-7979 • Fax 866-412-6992

1 **PETER S. CHRISTIANSEN, ESQ.**

2 Nevada Bar No. 5254

3 pete@christiansenlaw.com

2 **KENDELEE L. WORKS, ESQ.**

3 Nevada Bar No. 9611

4 kworks@christiansenlaw.com

4 **WHITNEY J. BARRETT, ESQ.**

5 Nevada Bar No. 13662

6 kworks@christiansenlaw.com

5 **CHRISTIANSEN LAW OFFICES**

6 810 S. Casino Center Blvd., Suite 104

7 Las Vegas, Nevada 89101

7 Telephone: (702) 240-7979

8 Facsimile: (866) 412-6992

8 *Attorneys for Plaintiffs*

9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 Bernadine Morimoto, as Personal Representative
12 of the ESTATE OF ABGYGAILE B., deceased;
13 EMBER B., a minor, by and through maternal
14 grandmother and legal guardian, Bernadine
15 Morimoto; and KARRIAH M., a minor, by and
16 through maternal grandmother and legal guardian,
17 Bernadine Morimoto,

18 Plaintiffs,

19 vs.

20 RICHARD WHITLEY, Director of the Nevada
21 Department of Health and Human Services;
22 KELLY WOOLRIDGE, Administrator of the
23 Nevada Division of Child and Family Services;
24 DONALD BURNETTE, Clark County Manager;
25 CLARK COUNTY; TIMOTHY BURCH, Director
26 of Clark County Department of Family Services;
27 JAMES HARDEE, individually; HOPELINK OF
28 SOUTHERN NEVADA, a Nevada Non-Profit
Corporation; SHERRY BENNETT, individually;
JUSTIN TOM BENNETT, individually; DOES I-X, inclusive; ROES XI-XX, inclusive;

Defendants.

CASE NO.: 2:17-cv-01774-APG-GWF

**STIPULATION TO MODIFY
SCHEDULING ORDER
DEADLINES
(2nd REQUEST)**

This Stipulation to modify the scheduling order is entered into by and between Plaintiff

BERNADINE MORIMOTO, as Personal Representative of the Estate of Abygaile B. and legal
guardian and maternal grandmother of Ember B. and Karriah M.; and Defendants DONALD

1 BURNETTE; TIMOTHY BURCH; CLARK COUNTY; JAMES HARDEE; and HOPELINK OF
2 SOUTHERN NEVADA, by and through their attorneys of record, pursuant to LR IA 6-1 and LR
3 26-4 and based upon the following. This is the second request for an extension of the discovery
4 deadlines.

5 **(a) A STATEMENT OF DISCOVERY COMPLETED TO DATE:**

6 Plaintiffs and Defendants Clark County, James Hardee, and Hopelink have exchanged
7 initial disclosures of documents and the names of individuals with knowledge of the facts
8 pertaining to Plaintiffs' claims against Defendants and have supplemented those disclosures. The
9 parties have propounded and responded to written discovery. The remaining parties have
10 propounded and responded to written discovery. Plaintiffs have subpoenaed the records from
11 Henderson Police Department and Las Vegas Metropolitan Police Department and are awaiting
12 receipt of those documents for disclosure. Plaintiffs and Defendants are in the process of
13 coordinating depositions.

14 **(b) A SPECIFIC DESCRIPTION OF THE DISCOVERY THAT REMAINS TO BE**
15 **COMPLETED:**

- 16 (1) Defendants anticipate taking the deposition of Bernadine Morimoto, Korie Morimoto,
17 Sherry Bennett, and Kenneth Morimoto;
18 (2) Plaintiffs anticipate taking the depositions of Defendants James Hardee; Karen Kyger;
19 the 30(b)(6) witness for Hopelink of Southern Nevada; 30(b)(6) witness for Clark
20 County; Timothy Burch; Donald Burnette; Richard Whitley; and Kelly Woolridge;
21 (3) Receipt of documents pursuant to subpoenas to Las Vegas Metropolitan Police
22 Department and Henderson Police Department;
23 (4) Disclosure of expert witnesses;
24 (5) Depositions of the parties' expert witnesses;
25 (6) Additional document production.

26 ///

27 ///

28

(c) **THE REASON WHY DISCOVERY REMAINING WAS NOT COMPLETED WITHIN THE TIME LIMITS SET BY THE DISCOVERY PLAN**

The parties aver, pursuant to Local Rule 6-1, that good cause exists for the requested extension. The parties agree that, pending this Court's approval, extension of the discovery deadlines is appropriate. This is the parties' second request for an extension of the discovery deadlines. Defendants Hopelink of Southern of Nevada and James Hardee filed a motion for leave to add new parties and discovery was halted while the parties awaited this Court's decision on this Motion, which was denied without prejudice and re-filed on June 7, 2018. Additionally, the parties are currently awaiting an order from the Court regarding Defendants Clark County, Donald Burnette and Timothy Burch's Motions to Dismiss. The parties also wish to further investigate this case but given the ongoing criminal investigations and prosecutions of Justin Bennett and Sherry Bennett, access to this information is limited. This request is being filed more than 21 days before the expiration of the discovery deadline. The parties are seeking a 90-day continuance of below referenced dates.

111

111

111

111

111

111

111

111

111

111

1 / 1

11

11

1 (d) **A PROPOSED SCHEDULE FOR COMPLETING ALL REMAINING**
2 **DISCOVERY:**

Description:	Current Deadline:	Proposed Deadline:
Expert disclosure deadline	July 6, 2018	October 5, 2018
Rebuttal expert disclosure	August 6, 2018	November 5, 2018
Discovery Deadline	September 5, 2018	December 4, 2018
Dispositive Motion Deadline	October 5, 2018	January 4, 2019
Pre-Trial Order Deadlines	November 2, 2018	February 4, 2019
Amend Pleadings and Add Parties	June 7, 2018	Closed
Interim Status Report	July 6, 2018	October 4, 2018

8 DATED: 11th day of June, 2018.

9 CHRISTIANSEN LAW OFFICES

11 By /s/ Whitney J. Barrett
12 PETER S. CHRISTIANSEN, ESQ.
13 Nevada Bar No. 5254
14 R. TODD TERRY, ESQ.
15 Nevada Bar No. 6519
16 WHITNEY J. BARRETT, ESQ.
17 NV Bar No. 13662
18 810 S. Casino Center Blvd., Ste. 104
19 Las Vegas, NV 89101
20 *Attorneys for Plaintiffs*

8 DATED: 11th day of June, 2018.

9 OLSON, CANNON, GORMLEY,
10 ANGULO & STOBERSKI

11 BY /s/ Felicia Galati
12 FELICIA GALATI, ESQ.
13 NV Bar No. 7341
14 9950 W. Cheyenne Avenue
15 Las Vegas, NV 89129
16 *Attorneys for Defendants Clark County,*
17 *Donald Burnette and Timothy Burch*

18 DATED: 11th day of June, 2018.

19 SKANE WILCOX LLP

21 BY /s/ Danielle A. Kolkoski
22 DANIELLE A. KOLKOSKI, ESQ.
23 NV Bar No. 8506
24 1120 Town Center Drive, Suite 200
25 Las Vegas, NV 89144
26 *Attorneys for Defendants Hopelink of*
27 *Southern Nevada and James Hardee*

Morimoto et al. v. Hopelink, et al.
Case No. 2:17-cv-01774-APG-GWF
Stipulation to Modify Scheduling
Order Deadlines (2nd Request)

1 IT IS SO ORDERED.
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



UNITED STATES MAGISTRATE JUDGE

DATED: 6-12-2018

CHRISTIANSEN LAW OFFICES
810 S. Casino Center Blvd. Suite 104
Las Vegas, Nevada 89101
702-240-7979 • Fax 866-412-6992